



December 9, 2021

**MEMORANDUM TO
The Honorable Kiyo A. Matsumoto
United States District Judge**

Defendant: Kevin Jay Lipsitz
Docket No.: 1:20-CR-00394-KAM
Sentence Date: January 31, 2022

REQUEST FOR ADJOURNMENT OF SENTENCE

Reference is made to the above-noted defendant who pled guilty before Your Honor on October 7, 2021, to Wire Fraud. At that time, the Court ordered a presentence investigation to be conducted, and had a set sentence date of January 31, 2022. Subsequent to the defendant's guilty plea, the plea slip was never received from the Court. On November 10, 2021, the investigation was assigned to the undersigned officer.

On November 17, 2021, the Probation Officer contacted Defense Counsel and provided possible dates and times to schedule the presentence interview. Defense Counsel advised that Thursday, December 9, 2021 worked best for the defendant and himself. Although the defendant was successfully interviewed on December 9, 2021, this situation has caused a delay in the presentence investigation, and at this juncture, we respectfully request that a new sentence dates be set for after March 3, 2022. This will provide the Probation Department with sufficient time to complete the presentence report, and provide the parties with time to review the report prior to sentencing. The Probation Department apologizes for any inconvenience that this delay may cause for the Court.

✓ Request granted. New sentence date is April 5, 2022 at 11:00am

 Request denied.

Comments: _____

So Ordered:

Kiyo A. Matsumoto, USDJ

The Honorable Kiyo A. Matsumoto
United States District Judge

12.14.21
Date

Respectfully submitted:

Robert L. Capers
Chief U.S. Probation Officer

Prepared By:

/s/ *Jameka Bing*

Jameka Bing
U.S. Probation Officer
347-534-3690

Approved By:

/s/ *Patricia A. Sullivan*

Patricia A. Sullivan
Supervisory U.S. Probation Officer
347-534-3742

Date: December 9, 2021

cc: Andrew Wang (AUSA)
Joseph Matthew Caldarera (Defense Counsel)